

EXHIBIT F

Wade Ackerman/Los
Angeles/Kirkland-Ellis
03/04/2008 05:43 PM

To Neal San Diego/Los Angeles/Kirkland-Ellis@K&E
cc
bcc
Subject Fw: Berry v. Deutsche Bank Discovery

----- Forwarded by Michael Baumann/Los Angeles/Kirkland-Ellis on 02/27/2008 03:31 PM -----



"Wesley W. Ichida"
<wes@loio.com>
02/27/2008 03:25 PM

To "Tim Hogan" <tjh@timhogan.com>, "Robert Penchina"
<RPenchina@lskslaw.com>, "Michael Baumann"
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<cmason@nixonpeabody.com>, "Jonathan Moskin"
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cc "Maile M. Hirota" <maile@loio.com>, "Steven J. Kim"
<sjk@loio.com>, "William F. Thompson III" <wft@loio.com>,
"Paul A. Lynch" <pal@loio.com>, "Lex R. Smith"
<lsmith@ksglaw.com>
Subject RE: Berry v. Deutsche Bank Discovery

Dear Mr. Hogan: I have no idea what is being circulated concerning a letter to Ms Brawley which you have not attached. Nevertheless, I wanted to inform you and all other counsel involved that the Lynch Ichida Firm, whose bank accounts you are proposing to subpoena strenuously objects to the subpoena and will definitely move to quash it if it is ever served.

By e-mail dated December 17, 2007 at 4:36 p.m., I informed you that your allegations that this Firm assigned or sold its attorneys' fees lien on Berry's recovery to Lex Smith's client or connected parties were not accurate. In addition, as you are aware, this Firm has not yet perfected its lien such that it could be assigned. In spite of that, you amended Mr. Berry's Complaint to allege the exact matters that you were told were not true. I am sure that Mr. Lex Smith would also tell you the same thing if he has not already done so: that there was never any offer, or any agreement, and no money or other consideration was ever received by this Firm from Lex Smith, or anyone else for this Firm's attorney's lien pertaining to Mr. Berry. Moreover, this Firm has already provided you and Mr. Berry with all of the accounting of his accounts with this Firm and in our Clients' Trust account, as you had requested. There is nothing more we can do.

Now you are threatening to subpoena the Firm's bank accounts with CPB. All of those records are highly confidential and include information which is confidential as they pertain to our other clients. Your subpoena is overly broad and includes those confidential matters which do not concern Mr. Berry in any way. Compliance with your subpoena may cause us to breach our other clients' confidentiality. Except for your imagination, you have absolutely nothing to support your allegations in any way.

You are on a totally unsupportable fishing

expedition. We demand that you not go forward with the Subpoena. If you do, we will not only move to quash as set forth above, but we will also seek sanctions against you and Mr. Berry.

Very Truly Yours,

Wes Ichida

-----Original Message-----

From: Tim Hogan [mailto:tjh@timhogan.com]
Sent: Wednesday, February 27, 2008 12:10 PM
To: Robert Penchina; Michael Baumann; Christopher Beall; Erin Brady; Cheryl R. Brawley; Andrew P. DeNatale; Wesley W. Ichida; Christopher M. Mason; Jonathan Moskin; Richard Wynne
Subject: RE: Berry v. Deutsche Bank Discovery

Mr. Penchina:

Thank you for your response. I copied Ms. Brawley on the email. I will fax a letter to her, with copy to all counsel tomorrow after 5:00 p.m. EST barring any further objection or comment from other counsel.

Regards,

Tim Hogan

Timothy J. Hogan
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-----Original Message-----

From: Robert Penchina [mailto:RPenchina@lskslaw.com]
Sent: Wednesday, February 27, 2008 9:36 AM
To: Tim Hogan; Michael Baumann; Christopher Beall; Erin Brady; Cheryl R. Brawley; Andrew P. DeNatale; Wesley Ichida; Christopher M. Mason; Jonathan Moskin; Richard Wynne
Subject: RE: Berry v. Deutsche Bank Discovery

Mr. Hogan-

Your proposal is acceptable to me provided that you circulate to all on this email a copy of your communication with Ms. Brawley's firm. I am speaking only on behalf of GECC, and do not know whether the proposal is acceptable to any of the other defendants.
Thank you for your cooperation on this issue.

-----Original Message-----

From: Tim Hogan [mailto:tjh@timhogan.com]
Sent: Wednesday, February 27, 2008 2:26 PM
To: Michael Baumann; Christopher Beall; Erin Brady; Cheryl R. Brawley;
Andrew P. DeNatale; Wesley Ichida; Christopher M. Mason; Jonathan
Moskin; Richard Wynne; Robert Penchina
Subject: Berry v. Deutsche Bank Discovery

Dear Counsel.

I have gone back through my notes regarding our conferences with Judge Pauley related to Mr Pencina's objection to my discovery. Rather than risk proceeding in face of the objection, and deferring to Mr Penchina I will refrain from serving the Central Pacific Bank Subpeona and request that Ms. Brawley's firm delay compliance with my Subpeona until the matter is resolved. Can counsel please advise me if this would be acceptable. I would prefer to not have to withdraw the Brawley's & Assoc. subpeona but will if requested.

Thank you,

Tim Hogan

Timothy J. Hogan
Sent via Windows Mobile